IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 424 OF 2006.

1. Mr. Aslam Mohd. Mehfooz
2. Mr. Imtiaz Mohd. Mehfooz ... Applicants.

Vs

The State of Maharashtra & Ors. ...Respondents.

Mr. S.P. Kadam for the applicants.
Mr. R.Y. Mirza for the State.
Mr. Sureshkumar for respondent No.2.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 28TH AUGUST, 2006.

P.C.

. On perusal of the orders passed from time to time by this Court and also perusing application and annexures, it is apparent that during the course of recovery of provident fund dues and interest on delayed payment, the show cause notice calling upon the applicants why they should not be arrested, came to be issued.

2. Now, in pursuance of the statement made before this Court, the principal amount is more or less paid and that fact is not disputed. Mr. Kumar appearing for the Provident Fund Authorities states that the component

of interest is due and payable. That would be computed from the date when section 7(Q) of the E.P.F. Act was brought into force. According to Mr. Kadam i.e,. from 1st July, 1997. The liability of payment of interest from this date is not disputed by Mr. Kadam.

3. Mr. Kumar states that the respondent would make available to the applicants the revised calculation of the interest within a period of 4 weeks from today.

4. Mr.Kadam states that upon receipt of computation/calculation within a period of 4 weeks, the applicants would deposit the sum of interest with the concerned P.F. Commissioner.

5. In the light of the above show cause notice would stand quashed and set aside.

6. Liberty is however reserved to the respondents to take such proceedings as are permissible in law, in case the amount and the interest is not paid by the applicants within aforesaid period.

7. Equally, all contentions of the applicants in

that behalf are kept open.

8. Ad interim order passed by this Court on February 8, 2006 stand confirmed.

9. Application is disposed of in the above terms.

(S.C. DHARMADHIKARI, J.)